

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRUCE DARNELL MOORE,

Defendant.

**CR-15-49-GF-BMM**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on March 12, 2019. (Doc. 119.) The United States accused Defendant Bruce Darnell Moore of violating his conditions of supervised release by: (1) using cocaine; (2) interacting with a person engaged in criminal activity; (3) failing to report for substance abuse treatment; (4) failing to report for substance abuse testing; and (5) committing other crimes. (Doc. 114 at 2-3.) Moore admitted

to Violations Numbers 1-4. (Doc. 123 at 2-3.) The Government failed to meet its burden of proof with respect to alleged Violation Number 5. *Id.* at 3.

Judge Johnston entered Findings and Recommendations on March 13, 2019. (Doc. 123.) Judge Johnston recommended that the Court revoke Moore's supervised release. *Id.* at 3. Judge Johnston recommended that the Court commit Moore to the custody of the Bureau of Prisons for period of 4 months, with 44 months of supervised release to follow. *Id.* Judge Johnston further recommended that Moore be placed at the Bureau of Prisons' facility in Butner, North Carolina. *Id.* at 4.

Moore waived his right to object to Judge Johnston's Findings and Recommendations. *Id.* The Government did not file an objection. The Court will review Judge Johnston's Findings and Recommendations for clear error. *See McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error in Judge Johnston's Findings and Recommendations. Moore's violations represent a serious breach of the Court's trust. A custodial sentence of 4 months, followed by 44 months of supervised release, is a sufficient, but not greater than necessary sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 123) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Bruce Darnell Moore is sentenced to 4 months in custody with 44 months of supervised release to follow. It is recommended that Moore be placed at the Bureau of Prisons' facility in Butner, North Carolina.

DATED this 13<sup>th</sup> day of March, 2019.



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Brian Morris  
United States District Court Judge